

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
NOVEMBER 5, 2015
6:30 P.M.**

1. Mayor Lawhorn opened the meeting at 6:30 p.m. with the Pledge.
2. Linda Allen – Present Sue Johnson - Present
Randall Atkins – Present Steve Riley – Present
Jim Boerio – Present James Smith – Present
3. Mayor Lawhorn opened the floor to the public stating they have five minutes, need to state name and spell it and address for the record:

Dennis Rees – 5221 Grants Grove – he congratulated those who were elected and thanked ones leaving for their service. Dennis reviewed his concerns about the gate and history, as he sees it, concerning these issues. He states his concerns about the deal being made and how he does not feel that is a rightful spending of tax dollars. Dennis said he now hears about another under the table deal between Vista Ridge homeowners association and at least two of the trustees of the Homestead HOA. He states that there is a small portion of the property where the Zoar Road gate is proposed, owned by Homestead's HOA, and they are negotiating a deal of the Homestead gate owned by the Homestead but paid for by Vista Ridge owners. He said a good number of Homestead owners do not want the gate nor want to pay for it. Dennis stated they were assured, by the mayor, no public funds would be used for this project and he is guessing they won't. He read from communications from the Warren County Commissioners. Dennis said they are asking that before any construction of any gates that would negatively affect 95% of the residents, including totally cutting Wynstead off, he urges council, administration and those newly elected officials to open this project up to public review. He stated we need current and correct information so that it is not a detriment to South Lebanon residents.

David McKillen – 5286 Frederick Stand – wanted to share citizen concerns concerning limited access in South Lebanon. He said in his neighborhood they have seen multiple EMS runs into Frederick Stand with the successful saving of lives. He said he lived through a fire in Frederick Stand. He said their neighborhood is roughly 75% senior citizens and they are hearing about gates that limit their access to emergency services and minutes do count in those instances. He said the second concern is the spending of tax dollars and should their tax dollars be spent on a locked gate at Cochran Road and should private dollars be spent to close access on two public roads. He said he requests an open public forum to discuss all resident concerns and what a proper process would be for a sticky situation. He asked again if council is

open to a public forum discussion before they spend tax dollars and before they close access to two public roads.

Tom Brown – 5158 Homestead Drive – reviewed and thanked council for the completion of private roads in Homestead without any public funds. He stated the creativity of the administration and council is to be commended for their excellent stewardship of our tax payers funds. He reviewed the Zoar Road improvement, Pike Street improvement and sewer projects and that they provide a service to a large number of residents. Tom said there is a shift from village policy away from prudently using tax payers funds for the safety and benefit of large portions of the village population. He explained why he does not believe the gate is a prudent use of tax dollars and not in the best interest of the largest number of residents and his disappointment in council going in this direction. He said he understands that council member Boerio has already obtained quotes for gates at the Cochran and Zoar Road end. He said the gating of Zoar Road that Mr. Boerio is actively pursuing is concerning to many Homestead residents because of the covenant they must live by that requires their small HOA to assume the maintenance on the Zoar gate. He reviewed repair issues with the temporary gate. Tom said he is strongly opposed to the village agreeing to a limitless tax payers expense of such a gate especially with such limitless benefit to the South Lebanon community.

Casey Van Schoyck – 5222 Homestead Dr. – reviewed again support of the Cochran gate. She cites safety and this is their private property and they are assuming the liability. She stated they are not cutting anyone off, they just have to use a different route and safety trumps convenience.

Eric Cunningham – 5112 Riverview Dr. – stated he represents Homestead HOA and they had their annual meeting, and there are people that don't want a gate but they took a poll of the people in the room and they want it, stating he does not have the scientific numbers.

Leonard Jessen – 5568 Windsor Ct. – he said they say there is traffic problem in Homestead and you are cutting us off for an access to Zoar Road and where does this make sense, be it emergency vehicles or not, to cut off a whole subdivision that will have a couple more streets and two hundred more homes. His position is that there be an access to Zoar Road before it is closed.

Kate Reich – 239 Vista Ridge – stated she has intimate knowledge of both contracts and there was nothing shady. She said at the end of the day, it is a pain to go all the way around. She said there are four ways in and out of her subdivision. She said people do fly down her street. She said for us to walk our dogs, in the street, or our kids to ride their bikes and skateboards, in the street, it is not a viable solution.

Tom Hunsche – 5294 Frederick Stand – stated gates anywhere are a pain. He said he was mayor of Loveland and when he took office there were two gates and when he left office there were no more gates. He said everyone would like to live on a street with no traffic but it is a street. Tom said gates are nothing but a problem and separates people.

Brian Payne – 5525 Windsor Ct. – said he is a board member of the HOA and Wynstead is strongly opposed to the gate. He said in talking to people it was always understood Emerald would be finished before closing Cochran off. He asked why spend all the money on Zoar Road and then put a gate there. Brian said Deerfield Township had a house fire and an emergency gate would not work and they had to go around and the house burned down. He said he would like council to wait on Emerald Drive before closing Cochran.

Adam McGee – 5214 Homestead – stated a list of kid names that he is here for. He discussed all the traffic and stated it is private property. He said two home owners and the Ritchey's own this.

Chris Robertson – 5153 Riverview – hears it is convenience, tax dollars, etc. He said it is the convenience, not any of the other issues being discussed and people should use Zoar Road. Discussed safety issues. He stated again it is private property and they could put a boulder in the middle of the road.

Larry Vordemesche – 5240 Grants Settlement – states everything he hears is about safety. He said what about people who live on a thoroughfare, do your kids play in your yard or in the street. He said can't they teach the kids to play in the yard. He said there is an enforcement issue. He said that road has been there for fifteen years and now you're going to close that whole road off that the communities use for three people. He said it does not make sense.

Debbie Vordemesche – 5240 Grants Settlement – said she would like to know concerning the Cochran gate, if it is on private property, shouldn't the private owners pay for the gate. She said she does not feel the tax payers should pay for a gate on private property.

Mayor Lawhorn said what started this is people on Vista Ridge were told they would have a cul-de-sac and it was opened up by two developers and the village. He said for the last four years he has stated he does not like gates, period. He said they bought property and it is theirs, and it was to be vacated and it was not done right, should have been when Emerald Drive was done. He said it is not their fault. He said deals were made and have come to roost.

The floor was closed to the public.

4. Mayor Lawhorn presented an ordinance for the third reading for zoning map amendments and asked for council to allow it to be read by title only. A motion to allow the reading by title only was made by Boerio, seconded by Smith, all yeas. A motion to adopt Ordinance 2015-11 was made by Atkins, seconded by Riley, all yeas.
5. Mayor Lawhorn presented a resolution for the third reading rescinding Resolution 2013-23 withdrawing application for the hazardous mitigation grant program. A motion to adopt Resolution 2015-32 was made by Atkins, seconded by Allen, all yeas.
6. Administrator Haddix said with the push for transparency in government, Sharon has been working with the treasurer's office to implement the Ohio Checkbook. He said it is a simple process with our UAN system. He said the audio of the meetings could be put on the website. A motion to use the Ohio checkbook was made by Allen, seconded by Boerio, all yeas.
7. Mayor Lawhorn presented an amendment to the income tax ordinance for the second reading. He said this is due to HSB5.
8. Mayor Lawhorn presented a resolution for the second reading concerning sale of items through GovDeals.
9. Mayor Lawhorn held the first reading of a resolution adopting the 2015 Hazard Mitigation plan.
10. Administrator Haddix stated he received a call from Bethesda North that we had a resident pass away in August. He said he reviewed the application of the deceased and the nearest relative and they meet the indigent guidelines. He said he received a quote for \$598 to have her cremated and give the ashes to her daughter. A motion to allow the expense was made by Smith, seconded by Allen, all yeas.
11. Mayor Lawhorn presented invoices for authorization. Boerio asked about a street sign. He was told it was for a deaf child sign. Allen asked if the port-o-let was still at the bike trail and was told yes. A motion to authorize the invoices to be paid was made by Allen, seconded by Riley, all yeas.
12. Atkins asked how the old school building project is coming along. Haddix said we received a quote for electric and HVAC and it was about a half a million. He said we will evaluate it.

Atkins asked about the asphalt repair on Morgan Drive and Jerry said we haven't done anything yet. Atkins asked if we are planning to get it taken care of and Jerry said we could have the pavers do it when they do Shepherd's Crossing.

Atkins asked if we followed up with the county for an officer for speed control. Jerry said they met with the Sheriff and the overtime will be in contract for approval. Sgt. Boylan stated the Sheriff suggested we meet with council and get the thoughts together. Sgt. Boylan said his immediate thought is to add another person on second shift, which would give him some options. Atkins said he thought we were talking about getting started this year and that Sgt. Boylan is talking one shift. He said the problem is all day. Sgt. Boylan said the stats don't show what is being said. He said you can't walk your dog or let your children play in the streets, it is a public right of way.

13. Boerio stated Zoar Road reconstruction is really nice. He said it is really nice and people will move along that road and he thinks the signage needs to be upgraded. He said in particular going west, the last curve is really sharp and he thinks the signage should encourage people to slow down.


Boerio said the issue with traffic, gates, promises, agreements, these are all difficult issues. He said he hopes as a community we can find our way through these issues. He thanked all who came and spoke and felt everyone did a good job explaining their issues. He said he agrees with Randall that if we spend more money on traffic control, we would like to see some results. He said maybe a few less warnings and a few more tickets. Boerio said until people get the impression that South Lebanon is serious, they won't take it seriously. He said personally he feels a few more tickets and less warnings might be useful.

14. Riley said he has had people tell him that they did an exceptional job on Zoar Road. He said he was glad to see this many people at a meeting. Atkins stated it gives council more insight. Allen said they have to look at documents and look at it legal and find what we can live with.
15. Smith thanked council for Zoar Road it was a huge undertaking. He said it doesn't look like there will be action on this gate issue tonight, but on Mason Morrow Milgrove, our traffic count is 8,000 cars a day. He said it is good for people to come together and come up with something we can all live with. He said Emerald is a 35 foot collector road and needs to be pushed through.
16. Bruce stated to follow up on Jeff's comments, we did have another trial last Thursday for a traffic violation in subdivisions on the hill. He said as has been the pattern in the past, the defendant in that case was a resident.

Bruce stated he lived two houses from the stop sign and the Sheriff's office had a cruiser cam video that the defendant was shown how he made no attempt to stop, just went right through the stop sign. He said he asked him after he was shown the video if he continued to refuse to accept responsibility for what you did and he said yes. Bruce said the people who complain about it are the ones that end up in court. He said the Sheriff's office is writing tickets up there and we are prosecuting people and some want a deal, and they are not getting a deal, they are being prosecuted. Allen said she received a call from a friend complaining she got a ticket. Allen said she asked her what happened and she told her she was not seat belted and she got a ticket. Allen said she knows they are doing their job.

17. Mayor Lawhorn stated that he received a notice from Ann Herald that she will be retiring January 30, 2016.
18. Mayor Lawhorn said he wants to congratulate everyone that was elected. He said he is going to retire and is okay with it. He said he thanked everyone for their comments and every neighborhood has a problem and how will you resolve it, he has no idea. He stated he doesn't like the word eminent domain and does not like gates period. He also stated, when you buy property and it is yours and it says it is vacated, he does not know what you do about it. He thanked everyone and said it has been a good four years.
19. A motion to adjourn the meeting was made at 7:39 p.m. by Allen, seconded by Boerio, all yeas.


Sharon Louallen, Fiscal Officer


Lionel Lawhorn, Mayor